

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :)
Heinrich BACHMANN, et al.) Examiner: not yet assigned
Serial No.: 10/053,192) Art Unit: 1652
Filed: January 15, 2002)
For: **β,β -CAROTENE 15,15'-
MONOOXYGENASES, NUCLEIC
ACID SEQUENCES CODING
THEREFOR AND THEIR USE**)

New York, NY
September 30, 2002

**RESPONSE TO NOTICE TO FILE MISSING
PARTS AND PETITION FOR EXTENSION OF TIME**

Box Missing Parts
Commissioner For Patents
Washington, D.C. 20231

Sir:

The shortened statutory period of time for response to the Notice to File Missing Parts of Nonprovisional Application - Filed Under 37 CFR 1.53(b) - Filing Date Granted ("Notice") mailed April 29, 2002, expired on June 29, 2002. A three-month extension of time to respond to the Notice is hereby requested. With this extension, the due date for reply to the Notice is September 30, 2002, because September 29, 2002 fell on a Sunday. 37 CFR §§ 1.7, 1.8 and 1.136. Enclosed is a check in the amount of \$920 to cover the fee for the extension of time.

In response to the Notice, we submit herewith the following:

- (1) a Declaration signed by the inventors (Exhibit 1);
- (2) Office Copy of the Formalities Letter; (Exhibit 2);
- (3) Substitute Drawings (sheets 1-12) with the appropriate margins pursuant to 37 CFR § 1.84(g) and without the asserted "excessive text" pursuant to 37 CFR 1.84(o) (Exhibit 3);
- (4) a "marked-up" version of the amendment to the specification (Exhibit 4);
- (5) a check in the amount of \$130.00 to cover the surcharge; and
- (6) a check in the amount of \$920.00 to cover the fee for the petition for extension of time.

If either or both of the checks are missing or otherwise insufficient, or if any additional fees are required, the Commissioner is authorized to charge (or credit any overpayment) to Deposit Account No. 02-4467. A duplicate copy of the first two pages of this communication is enclosed.

Please amend the application as follows:

IN THE DRAWINGS

Please cancel the drawings as filed and replace them with the Substitute Drawings attached hereto as Exhibit 3.